

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Civil Action No. 10-CIV-4218 (TPG)
RICHARD L. SHELTON,

-Against-

BURGIS D. SETHNA, Individually, and as an
Officer and Officer of Bank Card New York and
Bison Commercial Leasing Corp., BANK CARD
NEW YORK, and BISON COMMERCIAL
LEASING CORP.,

DECLARATION IN SUPPORT

Defendant(s).

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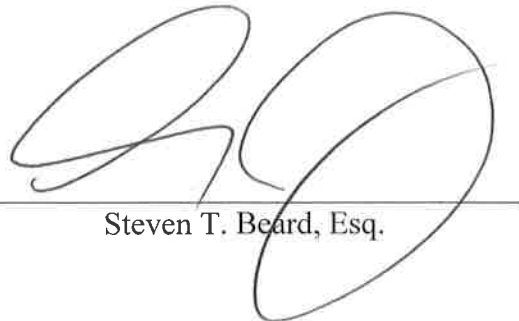
I, STEVEN T. BEARD, ESQ., hereby declare, pursuant to 28 U.S.C. § 1746, under the
penalties of perjury, as follows:

1. I am associated with Coran Ober P.C., attorneys for the above-named
Plaintiff/Judgment Creditor.
2. This motion seeks an Order compelling Defendant Burgis D. Sethna to comply with
an Information Subpoena duly served on Defendant Burgis D. Sethna on February 13,
2018 and which Defendant Burgis D. Sethna received on February 20, 2018.
3. Annexed hereto as Exhibit A is the Judgment that was entered in this matter on
September 5, 2012.
4. Annexed hereto as Exhibit B is the Information Subpoena and two copies of the
Questionnaire to be Answered in Connection with Information Subpoena duly served
on Defendant Burgis D. Sethna on February 13, 2018 and received by Defendant
Burgis D. Sethna on February 20, 2018.
5. Annexed hereto as Exhibit C is the Certificate of Service attesting to service of the
Information Subpoena, two copies of the Questionnaire to be Answered in

Connection with Information Subpoena, and a Postage Prepaid Return Envelope addressed to the within attorneys for the Judgment Creditor. Also included is the Certified Mail Receipt and the Return Receipt duly signed by Defendant Burgis Sethna on February 20, 2018.

6. In an attempt to resolve this issue without having to resort to motion practice, I spoke with Defendant Burgis Sethna about the matter shortly after service of the Information Subpoena. An attorney, Joe Strang, Esq., also contacted me on behalf of Defendant Burgis Sethna on February 23, 2018 about the matter.
7. Despite service of the Information Subpoena, and despite the above-referenced conversations, and despite your deponent's subsequent attempts to follow up with Joe Strang, Esq. about this matter, Defendant Burgis D. Sethna has failed to comply with the Information Subpoena and has yet to return a completed questionnaire as demanded by the Information Subpoena.
8. As a result of the foregoing, Plaintiff/Judgment Creditor requests that an Order be entered compelling Defendant Burgis D. Sethna to comply with the Information Subpoena annexed as Exhibit B.
9. I declare under penalties of perjury that the foregoing is true and correct. Executed on June 4, 2018.

Dated: Flushing, NY
June 4, 2018



Steven T. Beard, Esq.